

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA)	Civil Action No. 8:18-CV-370[GLS/DJS]
Plaintiff)	
v.)	
)	
2011 Jeep Grand Cherokee)	
VIN: 1J4RR4GG9BC646138)	
)	
Defendant.)	

VERIFIED COMPLAINT OF FORFEITURE *IN REM*

Plaintiff, United States of America, by its attorneys, Grant C. Jaquith, United States Attorney for the Northern District of New York, and Tamara B. Thomson, Assistant United States Attorney, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure.

NATURE OF ACTION

1) This is an action to forfeit and condemn to the use and benefit of the United States of America 2011 Jeep Grand Cherokee VIN: 1J4RR4GG9BC646138 (“defendant property”) in violation of 21 U.S.C. §§ 841 and 846.

THE DEFENDANT IN REM

2) The defendant 2011 Jeep Grand Cherokee VIN: 1J4RR4GG9BC646138 was seized from Catherine Blazer on October 9, 2017, at 38 Highland Place, Lake Placid, New York. The defendant vehicle is titled to Teddy Blazer and Catherine Blazer.

3) The defendant property is presently in the custody of the United States Marshal Service in Syracuse, New York.

JURISDICTION AND VENUE

- 4) Plaintiff brings this action *in rem* in its own right to forfeit and condemn the defendant property. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345 and over an action for forfeiture under 28 U.S.C. § 1355(a).
- 5) This Court has *in rem* jurisdiction over the defendant property under 28 U.S.C. § 1355(b). Upon the filing of this complaint, the plaintiff requests that the Court issue an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b), which the plaintiff will execute upon the property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).
- 6) Venue is proper in this district pursuant to 28 U.S.C. §§ 1355 and 1395, because the acts or omissions giving rise to the forfeiture occurred in this district.

BASIS FOR FORFEITURE

- 7) The defendant 2011 Jeep Grand Cherokee VIN: 1J4RR4GG9BC646138 is also subject to forfeiture pursuant to 21 U.S.C. § 881(a)(4) provides for the forfeiture of:

all conveyances, including aircraft, vehicles, or vessels, which are used, or are intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of property described in 21 U.S.C §§ 881 (a)(1), (a)(2), or (a)(9).

FACTS

- 8) The facts alleged in this complaint are based upon information and belief, the sources of which are reports from the Drug Enforcement Administration (“DEA”), and other written and oral information officially received by the Office of the United States Attorney for the Northern District of New York.
- 9) In the fall of 2016, the Plattsburgh office of the DEA opened an investigation into the distribution of cocaine by Troy N. Delancett (“Delancett”). The investigation established that

Delancett, along with his co-conspirators, Catherine Blazer ("Blazer") and Carlo Varnado ("Varnado") were involved with a large narcotics distributions operation in the Lake Placid New York Area and the surrounding area.

10) On December 14, 2016, members of the DEA-Plattsburgh Resident Office and the New York State Police ("NYSP") met with a source of information ("SOI") in the Lake Placid, New York area. The purpose was to discuss the SOI's knowledge of drug trafficking in the area.

11) The SOI provided information on Delancett and his cocaine distribution in and around the Lake Place, New York area. The SOI stated that Delancett distributes approximately one kilogram of cocaine per month. The SOI stated that Delancett has several vehicles, four snow mobiles, watercraft, and other recreational vehicles, as well as real estate. The SOI believes that the proceeds of Delancett's narcotics sales are used to purchase the extra property and vehicles.

12) The SOI believes that Delancett has a few distributors working for him.

2011 Jeep Grand Cherokee VIN: 1J4RR4GG9BC646138

13) On October 4, 2017, at approximately 8:24 a.m. DEA established surveillance on Delancett. DEA agents observed Delancett operating his 2015 Chevrolet Silverado, traveling westbound on State Route 3 in Bloomingdale, New York. Delancett continued his travel to Lake Placid, in the Highland Avenue area. At approximately 5:05 p.m., agents observed Delancett operating the defendant 2011 Jeep Grand Cherokee, south on Hillcrest. Delancett traveled to Main Street and parked in the vicinity of Zig-Zags Pub.

14) At approximately 6:15 p.m. Delancett was observed driving the defendant 2011 Jeep Grand Cherokee alone and traveling north on Main Street. Delancett continued onto Barn Road. Delancett has been observed on several occasions meeting and conducting narcotics transactions on Barn Road.

15) At approximately 6:23 p.m. agents observed Delancett travel off Barn Road and turn onto Saranac Avenue. Delancett continued onto Hillcrest, traveling back to Blazer's house. At approximately 6:53 p.m. agents observed Delancett and Blazer traveling together in the defendant Jeep Grand Cherokee. Delancett and Blazer parked on Saranac Avenue in front of the Mis Amigos restaurant; the two entered the restaurant.

16) On October 9, 2017, the DEA and the United States Attorney's office applied for and were granted three search warrants by Hon. Christian F. Hummel, United States Magistrate Judge, Northern District of New York for the following residences:

- a) 17 Union Lane, #244, Bloomingdale, New York, residence of Troy N. Delancett;
- b) 38 Highland Place, Lake Placid, New York, residence of Catherine Blazer; and
- c) 3C Tanager Way, South Glens Falls, New York, residence of Carlo Varnado.

17) On October 9, 2017, the DEA with the help of local law enforcement agencies executed the search warrants.

Execution of the Search Warrant for 38 Highland Place, Lake Placid, New York

18) On October 9, 2017, the DEA executed the search warrant at 38 Highland Place, Lake Placid, New York. The following narcotics were found:

- a) Three amounts of marijuana were seized from Blazer's bedroom:
 - i) 68.1 grams of marijuana in zip lock type bags;
 - ii) 106.9 grams of marijuana in bags; and
 - iii) 63.8 grams of marijuana in prescription bottles.
- b) Also seized from Blazer's bedroom:
 - i) Cut straws/drug paraphernalia and credit cards were located inside the nightstand of Blazer's bedroom;

- ii) Several small Ziploc type clear plastic bags were located in the medicine cabinet of the bathroom in Blazer's bedroom;
- iii) Cut straws/drug paraphernalia was located in the vanity drawer in Blazer's bedroom;
- iv) Drug paraphernalia located on the nightstand in Blazer's bedroom;
- v) Inositol, a white powder supplement (and known cutting agent) was located in the closet of Blazer's bedroom; and
- vi) Ziploc type plastic bags, with the corners cut off, were located in the medium-sized cabinet next to the closet in Blazer's bedroom.

19) DEA agents spoke with Blazer during the execution of the search warrant. Blazer stated she has been in a relationship with Delancett for approximately 8 years. Blazer explained that she kept Delancett's business records at her residence and she managed the business documents and expenditures for Delancett's construction business.

20) Blazer stated that Delancett makes approximately \$5,000.00 per week from his construction business. Blazer stated that almost every month Delancett was coming up short on money owed for employees and his expenditures as she was writing his checks for the business.

21) Blazer stated that she has loaned Delancett money in the past to cover work-related expenses and Delancett was supposed to repay her. The last amount that Delancett was supposed to repay her was \$4,000.00. Blazer stated that in return for doing the bookkeeping for his business, Delancett would repay her by doing construction-related projects in and around her home.

22) When agents asked if Blazer knew that Delancett sold cocaine, she initially denied any knowledge. As agents recovered items indicative of drug packaging and drug use in her residence, Blazer began to change her story and indicated that she knew Delancett was selling cocaine.

23) Blazer stated that she did not want to know what Delancett was doing, but that she did know, and had observed him using certain areas for packaging cocaine, including the area in her bedroom where some drug packaging items were located.

24) Blazer stated that she did not agree with Delancett packaging and selling cocaine, but she was in love with him and once he started using her house she did not stop him. Blazer stated she knew it was wrong but she allowed it to continue.

25) Delancett runs a business called Woodtrappings, Inc., and as noted Catherine Blazer is his girlfriend as well as his bookkeeper for the business.

26) When questioned about the defendant 2011 Jeep Grand Cherokee, Blazer stated that she would lend Delancett her vehicle a couple of times per week when he had his dump truck.

27) A second Source of Information, (hereinafter "SOI #2") was proffered in connection with the related criminal case on November 14, 2017. During the proffer, SOI #2 stated that Delancett typically made the trip to see his Albany source of supply approximately every two weeks and would take either the defendant 2011 Jeep Grand Cherokee or a vehicle belonging to another co-conspirator. SOI #2 stated that Delancett purchased the cocaine for approximately \$1,500.00 per ounce from the Albany Source.

28) The "Albany Source" that SOI #2 refers to was determined to be co-conspirator Carlos Varnado.

29) During the course of this investigation, Teddy T. Blazer was never observed driving the defendant vehicle and had no obvious contact with Catherine Blazer.

POTENTIAL CLAIMANTS

30) On December 26, 2017, the Drug Enforcement Administration received an administrative claim from Catherine K. Blazer and Teddy T. Blazer through their attorney Karl Sleight, Esq for the 2011 Jeep Grand Cherokee VIN: 1J4RR4GG9BC646138.

31) Upon information and belief, the following person/s who may claim an interest in the defendant property are not in the military service, are not infants and are not incompetent persons

WHEREFORE, the United States of America prays that process of issue in due form of law, according to the course of this Court in actions *in rem*, against the defendant property and that a warrant issue for the arrest of the defendant as more particularly described herein; that all persons having any interest therein be cited to appear herein and answer the complaint; that a judgment be entered declaring the defendant condemned and forfeited to the United States of America for disposition in accordance with law; that the costs of this suit be paid to and recovered by the United States of America; and that the United States be granted such other and further relief as this Court may deem just and proper.

Dated: March 23, 2018

GRANT C. JAQUITH
United States Attorney

By: /s

Tamara B. Thomson
Assistant United States Attorney
Bar Roll No. 515310

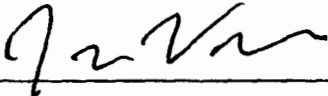
VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF CLINTON)

Jaime R. Vasquez, being duly sworn, deposes and states:

I am a Special Agent with the Drug Enforcement Administration. I have read the foregoing Complaint for Forfeiture and assert that the facts contained therein are true to the best of my knowledge and belief, based upon knowledge possessed by me and/or on information received from other law enforcement officers.

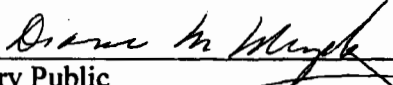
Dated this 26th day of March, 2018.



Jaime R. Vasquez, Special Agent
Drug Enforcement Administration

Sworn to and subscribed before me this 26th day of March, 2018.

DIANE M. MURPHY
Notary Public, State of New York
No. 01MU6081376
Qualified in Clinton County
Commission Expires October 7, 2018



Notary Public

CIVIL COVER SHEET

8:18-CV-370

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff Albany
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
Tamara Thomson, Assistant U.S. Attorney (315) 448-0672
United States Attorney's Office, 100 South Clinton Street
Syracuse, New York 13261

DEFENDANTS

2011 Jeep Grand Cherokee
VIN: 1J4RR4GG9BC646138

County of Residence of First Listed Defendant Clinton
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)
Karl J. Sleight, Esq. 518-701-2716
Harris Beach PLLC, 677 Broadway, Suite 1101, Albany, NY 12207

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

V. ORIGIN

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
21 USC 881

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

03/26/2018

s/Tamara B. Thomson

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT Waived APPLYING IFP _____ JUDGE GLS MAG. JUDGE DJS